

REMARKS

Applicant respectfully requests consideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 18-27 and 35-40 have been withdrawn in response to a restriction requirement. Claims 1, 3, 8, 13, 14, 28, 29, 31-33, and 41-56 have been canceled. Claims 2, 4-7, 9-12, 15-17, 30, and 34 have been amended. Claims 57-81 have been added. Claims 2, 4-7, 9-12, 15-17, 30, 34, and 57-81 are now pending in this application.

I. Claim Objections Under 37 C.F.R. § 1.52(b)

On page 2 of the Office Action, the claims were objected to because the lines were too close together. A substitute copy of the claims as filed is being provided herein. On pages 2-3 of the Office Action, Claims 42, 44, 45, and 48 were objected to as lacking antecedent basis. Claims 42, 44, 45, and 48 have been canceled rendering this objection moot. As a result, Applicant respectfully request withdrawal of the objections.

II. Claim Rejections Under 35 U.S.C. § 112

In section 6 of the Office Action, Claims 42, 44, 45, and 48 were rejected under 35 U.S.C. § 112, first paragraph. Claims 42, 44, 45, and 48 have been canceled rendering this rejection moot. As a result, Applicant respectfully request withdrawal of the rejection.

III. Rejection of Claims 1, 8, 12, 13, 16, 41-45, 50, and 51 Under 35 U.S.C. § 102(b)

In section 7 of the Office Action, Claims 1, 8, 12, 13, 16, 41-45, 50, and 51 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0052896 to Higgins *et al.* (Higgins). Claims 1, 8, 13, 41-45, 50, and 51 have been cancelled rendering their rejection moot. Applicant respectfully submits that Claims 12 and 16 are allowable for the reasons discussed in Section V. below.

IV. Rejection of Claims Under 35 U.S.C. § 103(a)

In sections 19-44 of the Office Action, Claims 2-7, 9-11, 14, 15, 17, 28-34, 46-49, and 52-56 were rejected under 35 U.S.C. § 103(a) based on Higgins in view of one or more of U.S. Patent No. 4,772,206 to Kerr *et al.* (Kerr), U.S. Patent No. 5,101,436 to DeAguiar *et al.* (DeAguiar), U.S. Patent No. 5,146,552 to Cassoria *et al.* (Cassoria), U.S. Patent No.

5,581,682 to Anderson *et al.* (Anderson), U.S. Patent No. 6,269,366 to Romano *et al.* (Romano), U.S. Patent No. 6,564,263 to Bergman *et al.* (Bergman), U.S. Patent No. 6,684,379 to Skoll *et al.* (Skoll), U.S. Patent Publication No. 2002/0055955 to Lloyd-Jones *et al.* (Lloyd-Jones), U.S. Patent Publication No. 2002/0097320 to Zalis. (Zalis), and U.S. Patent Publication No. 2004/0205482 to Basu. (Basu). Claims 3, 14, 28, 29, 31-33, 46-49, and 52-56 have been cancelled rendering their rejection moot. Applicant respectfully submits that Claims 2, 4-7, 9-11, 15, 17, 30, and 34 are allowable for the reasons discussed in Section V. below.

V. **Allowance of Claims 2, 4-7, 9-12, 15-17, 30, 34, and 57-81**

New independent Claims 57, 68, and 71 have been added. The remaining claims depend from one of Claims 57, 68, and 71. Applicant respectfully submits that at least Claims 57, 68, and 71 are allowable over the art cited by the Examiner because the art cited by the Examiner, alone and in combination, fails to teach, suggest, or describe the elements of at least independent Claims 57, 68, and 71.

Independent Claim 57, with emphasis added through underlining, recites:

presenting a digital image in a user interface of a display;

receiving information defining a region of interest identified by a user interacting with the presented digital image;

receiving textual information associated with the received information, wherein an annotation comprises the received information and the received textual information;

presenting the digital image overlaid with the received information and the received textual information;

presenting a plurality of annotation indicators in the user interface, an annotation indicator of the plurality of annotation indicators including the received textual information associated with the annotation;

receiving a selection of a first annotation indicator of the presented plurality of annotation indicators; and

presenting the digital image without the received information and the received textual information associated with the received selection.

Claims 68 and 71 recite similar features.

Higgins describes a “method for synchronizing map images.” (Title). Higgins states:

Map image synchronization is a method whereby two map images can be made to show the same geographic region at all times, maintaining this synchronization even after one of the images is panned, zoomed, scrolled, or otherwise caused to display a different region. Whenever such a change occurs on one map, the system causes the same change to occur on the other map as well. In this way, the two images continue to display the same region, without the need of manually adjusting both maps. In addition the synchronization system allows annotations to be placed on either map at specified geographic locations, and causes a matching annotation to appear on the other map in the corresponding location.

(Para. [0110]). However, nowhere does Higgins describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Zalis describes a “system for performing a virtual colonoscopy.” (Abstract). Zalis states:

It should also be appreciated that polyp detection system 20 can provide results generated thereby to an indicator system which can be used to annotate (e.g. by addition of a marker, icon or other means) or otherwise identify regions of interest in an image (e.g. by drawing a line around the region in the image, or changing the color of the region in the image) which has been processed by the detection system 20.

(Para. [0057]). However, nowhere does Zalis describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

DeAguiar describes a “hybrid image editor for editing raster and vector entities with a common set of vector edit operations.” (Abstract). DeAguiar fails to describe an annotation at all, and thus, fails to describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Skoll describes a “design analysis workstation for performing design analysis of integrated circuits.” (Abstract). Skoll states:

FIG. 7 is a schematic representation of a mosaic-view showing the selection of an annotation overlay to be displayed therein in accordance with an exemplary embodiment of the invention. With the master-cursor 258 inside a mosaic-view such as 266, an interactive event 300 such as a mouse click, a key sequence activation, or the like, is performed. In response, an annotation overlay selection menu 302 is displayed. The annotation overlay selection menu 302 provides a list of annotation overlays associated with the chip under analysis and one of the annotation overlays 304 can be selected. As shown, any annotation overlay can be displayed over any image-mosaic to extract design and layout information therefrom by drawing annotation objects on the annotation overlay.

An annotation object is an entity drawn by an engineer analyst 210 on an annotation overlay based on features inferred from at least one image-mosaic 144 displayed in at least one mosaic-view 262-266. The image-mosaics are the source images. An image-mosaic 144 forms the background of each mosaic-view 262-266. Examples of annotation objects include rectangles, lines, polygons, ovals, text labels, contacts and wires. Annotations can be loaded and saved independently of the image-mosaics 144.

(Col. 10, lines 11-33, with emphasis added through underlining). However, nowhere does Skoll describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Basu describes “an annotation framework in which supervised training with partially labeled data is facilitated using active learning.” (Abstract). However, nowhere does Basu describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Lloyd-Jones describes a “method and apparatus for annotating an image.” (Abstract). Lloyd-Jones states:

Selecting the icon 423 labelled "Rectangles" preferably results in the bounding boxes (e.g. 501, 503 and 505) being removed from the rendered image. However, the selection of the icon 423 does not result in the removal of previously stored bounding box information and metadata associated with the

image. Re-selecting the icon 423 preferably results in the display of all bounding boxes that have previously been associated with an image. For example, if a user selects the forward button 409 and the image displayed in FIG. 4 is selected from a database of images and rendered in the frame 407, then a user can select the icon 423 resulting in all previously stored bounding boxes (e.g. 501, 503, and 505) being displayed. Re-selecting the icon 423 preferably results in the bounding boxes being removed from the image. However, the associated bounding box information and metadata previously stored in the association list associated with the image will not be affected.

(Para. [0035], with emphasis added through underlining). However, nowhere does Lloyd-Jones describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Cassoria describes an “operating principle permits a reader of an electronically published document to create notes, bookmarks, or annotations and relate them to a particular location in the document.” (Abstract). Cassoria states:

Either immediately, or at a later time, the user can input a request to display **paragraphs** from the formatted text stream 25 and their associated annotation strings, as provided in step 102 of FIG. 5. The process then transfers to step 104 of FIG. 5 where a first paragraph 40 is selected to be displayed, and in accordance with the invention, the first annotation string record 28' is accessed from the annotation string record partition 24 of the memory 22, by searching for the coordinates "1001" of the paragraph 40, which are included in the annotation string record 28'. The character string 28 "spelling ? " is then extracted from the annotation string record 28' and is displayed at a position near to the location for display of paragraph 40 on the display 26, as is shown in FIG. 1.

(Col. 9, lines 23-37, with emphasis added through underlining and bolding). However, nowhere does Cassoria describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Kerr describes “a mechanism for capturing, creating and storing data representative of images for display to user and a mechanism for capturing, creating and storing data representative of commands for the user.” (Abstract). However, nowhere does Kerr describe

selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Bergman describes a framework “for describing multimedia content and a system in which a plurality of multimedia storage devices employing the content description methods of the present invention can interoperate.” (Abstract). However, nowhere does Bergman describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Romano describes “storing a plurality of theme images; storing a plurality of annotations; providing a random number generator for randomly selecting the theme images and annotations; and combining the theme image and the annotation.” (Abstract). However, nowhere does Romano describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Anderson describes “a method for annotating and redacting a final-form document archived in a computerized system where it is important that the fidelity of the final form document is preserved.” (Abstract). However, nowhere does Anderson describe selectively presenting and not presenting an annotation on a digital image as claimed in Claims 57, 68, and 71.

Applicant respectfully submits that the cited art fails to teach, suggest, or describe, either alone or in combination, at least the discussed claim elements of independent Claims 57, 68, and 71. Neither an anticipation rejection or an obviousness rejection can be properly maintained where the references used in the rejection do not disclose all of the recited claim elements. As a result, Applicant respectfully requests allowance of claims 2, 4-7, 9-12, 15-17, 30, 34, and 57-81.

Applicant believes that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 28, 2008

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4263
Facsimile: (608) 258-4258

By _____

Callie M. Bell
Attorney for Applicant
Registration No. 54,989